



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-21093-2025 (O&M)

Date of decision: 17.11.2025

Harwinder Singh

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. P.B.S. Goraya, Advocate;
Mr. S.S. Bhullar, Advocate;
Mr. SPS Sandhu, Advocate;
Mr. Pahul Puneet, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

Mr. Vikas Gupta, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed for the grant of regular bail to the petitioner(s) in case bearing FIR No.133 dated 16.07.2024, registered under Section(s) 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25, 27 of the Arms Act, 1959 at Police Station City, District Tarn Taran.

2. The FIR in the present case was registered on the statement of Daljit Singh s/o Gurmeet Singh, who alleged that he is an agriculturist and the property of Harwinder Singh s/o Bhagwan Singh r/o Rattaull P.S City Tarn Taran is next to his property. Around 5 years ago, he was in dire need of money and thus he mortgaged three kanals of his land in favour of Harwinder Singh for Rs. 1 lac/-. After completion of three years, he got the said mortgaged land redeemed from Harwinder Singh. The complainant



submitted that when the property was mortgaged to Harwinder Singh during that period, Harwinder Singh used to draw water from the complainant's motor in order to water the mortgaged land. Thereafter, the complainant had requested him multiple times to remove the said pipes from his property and despite intervention of the members of the panchayat, Harwinder Singh refused to do so. The complainant further submitted that on 15.07.2024, while he was ploughing his fields, Harwinder Singh s/o Bhagwan Singh arrived and started abusing him. When the complainant confronted him about the same, wife of Harwinder Singh namely Karamjit Kaur and one more unidentified person came out of the house and Karamjit Kaur gave Harwinder Singh a 0.32 bore revolver, who fired with an intention to kill him. Thereafter, the complainant alleged that Harwinder Singh caught hold of him while he was trying to flee and threw him on the ground and fired a second shot which hit the left side of his chest. The complainant raised an alarm and on hearing the fire shots, his wife came out of the house. The complainant submitted that Harwinder Singh, Karamjit Kaur and the unknown person started threatening and abusing his wife as well, however, as more people gathered on the scene all the three accused fled the crime scene alongwith their respective weapons. The complainant was taken to Guru Nanak Dev Hospital at Amritsar for the treatment and insisted that strict action be taken against the accused for attempting to kill him.

3. Learned counsel appearing on behalf of the petitioner contends that the true genesis of the occurrence has been concealed. He submits that as a matter fact, the petitioner himself had sustained three fire arm injuries,



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including one injury on his head. He contends that the complainant was initially admitted in the Civil Hospital, however, he ran away from the Civil Hospital and admitted himself in a private hospital wherein the injury attracting the offence under Section 307 of the Indian Penal Code, 1860 was later disclosed in the Medico Legal Examination Report. He contends that the petitioner has been in custody since 16.12.2024 and he has already undergone an actual custody of nearly 11 months. He further contends that the investigation in the present case is already complete and the charge was framed on 05.07.2025 however no witness has been examined so far and the trial is likely to take a long time to conclude.

4. Learned counsel for respondent-State as well as the complainant oppose the prayer made by the counsel for the petitioner and submit that the petitioner himself acknowledged that the victim sustained fire arm injuries on the right side of the chest, hence, offence under Section 307 of the Indian Penal Code, 1860 has been rightly attracted.

5. Responding to the above, counsel for the petitioner contends that in the initial version, the complainant himself alleged that the petitioner arrived at the place of occurrence un-armed.

6. Be that as it may, it is undisputed that the petitioner has actually undergone an actual custody of nearly 11 months and is not involved in any other case. Besides, there would be disputed questions of fact in relation to the true genesis of the incident which would require adjudication before the trial Court and as such the trial is likely to take a long time to conclude.

7. Taking into consideration the aforesaid facts and circumstances,



I deem it fit to allow the instant petition.

8. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

17.11.2025

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No